

Amendments to the Claims:

Please amend the claims as set forth below.

Listing of Claims:

1. (Currently amended) A fireplace surround ~~having the appearance of~~ simulating dry-stacked stone, comprising:

a first leg adapted to be disposed vertically on one side of a fireplace opening;

a second leg adapted to be disposed vertically on an opposing side of the fireplace opening;

a header adapted to be disposed horizontally over the fireplace opening;

said first leg comprising a single molded piece of material, said single molded piece of material having a face with the appearance and feel of a plurality of non-uniform, dry-stacked stones, an outer edge with an irregular ~~appearing~~ shape simulating the appearance and feel of dry-stacked stones, and a substantially flat back, said face and said back being opposing surfaces;

said second leg comprising a single molded piece of material, said single molded piece of material having a face with the appearance and feel of a plurality of non-uniform, dry-stacked stones, an outer edge with an irregular ~~appearing~~ shape simulating the appearance and feel of dry-stacked stones, and a substantially flat back, said face and said back being opposing surfaces;

said header comprising a single molded piece of material, said single molded piece of material having a face with the appearance and feel of a plurality of non-uniform, dry-stacked stones, and having opposing outer edges with irregular ~~appearing~~ shapes simulating the appearance and feel of dry-stacked stones, said header having a substantially flat back;

said header having a substantially flat base surface and said first and second legs having substantially flat top surfaces such that when the header is placed upon the top surfaces of the

legs without grout between said header and said legs, the assembly of the header and the legs fit ~~fitting~~ closely together and ~~give the appearance of~~ simulating a unitary structure of dry-stacked stone.

2. (Original) The fireplace surround as set forth in claim 1 wherein the first leg and second leg have a height of over thirty six inches.

3. (Original) The fireplace surround as set forth in claim 2 wherein the first and second legs are made of the same material, said legs made of said material being sawable or grindable along the bottom of said legs to adjust the length of the legs.

4. (Original) The fireplace surround as set forth in claim 1 wherein at least one of the legs have an inner edge, opposite the outer edge that is substantially flat, said inner edge being adapted to be disposed adjacent the fireplace opening.

5. (Original) The fireplace surround as set forth in claim 1 wherein the first leg and the second leg have embedded therein a plurality of anchors for use in attaching the legs to a wall adjacent the fireplace opening.

6. (Original) The fireplace surround as set forth in claim 1 wherein the header has embedded therein a plurality of anchors for use in attaching the header to a wall adjacent the fireplace opening.

7. (Original) The fireplace surround as set forth in claim 1 wherein the header has substantially flat top surface.

8. (Original) The fireplace surround as set forth in claim 1 further including a second header, both headers being substantially identical in structure and appearance when both headers are oriented in the same direction, the second header having a different appearance when it is

inverted so that the face of the two headers do not appear to be identical when one header is placed inverted above the other header with the faces of both headers facing the same direction.

9. (Original) The fireplace surround as set forth in claim 1 wherein the material making up the legs and the header is a cementitious material.

10. (Original) The fireplace surround as set forth in claim 9 wherein the legs and the header have a surface shade color disposed therein.

11. (Original) The fireplace surround as set forth in claim 1 wherein the header has a length of over sixty inches.

12. (Original) The fireplace surround as set forth in claim 11 wherein the header has a length of approximately sixty-four inches and the legs have a length of approximately thirty-seven inches.

13. (Original) The fireplace surround as set forth in claim 11 wherein the header has a length of approximately sixty-seven inches.

14. (Withdrawn) A method of making a mold for a fireplace surround having the appearance of dry-stacked stone, comprising:

assembling a plurality of individual pieces of stone into a dry-stack corresponding to at least a portion of a desired fireplace surround, said dry-stack having a substantially flat top surface, a substantially flat back surface, and at least one irregular exposed surface;

sealing the dry-stack;

securing the back surface of the dry-stack to a mold base;

providing a containment structure around the dry-stack;

pouring a liquid, settable rubber material over the dry-stack in the containment structure;

curing the rubber material in place over the dry-stack so that the rubber material forms a mold of the dry-stack;

removing the cured rubber material as a unit from the containment structure to expose a mold cavity in the cured rubber material corresponding in shape to the dry-stack.

15. (Withdrawn) The method as set forth in claim 14 wherein the stone is artificial stone.
16. (Withdrawn) The method as set forth in claim 14 wherein the stone is natural stone.
17. (Withdrawn) The method as set forth in claim 14 wherein the flat top surface of the dry-stack is artificially produced.
18. (Withdrawn) The method as set forth in claim 14 wherein the stones of the dry-stack are individually secured to the mold base.
19. (Withdrawn) The method as set forth in claim 14 wherein the stones of the dry-stack are at least partially covered with a sealing material prior to the dry-stack being secured to the mold base, said sealing material not substantially affecting the appearance of the dry-stack.
20. (Withdrawn) The method as set forth in claim 14 wherein the dry-stack is sealed prior to the pouring of the liquid, settable rubber material.
21. (Withdrawn) The method as set forth in claim 20 wherein the sealing of the dry-stack is performed with a material that does not substantially affect the appearance of the dry-stack.
22. (Withdrawn) The method as set forth in claim 14 wherein the dry-stack secured to the mold base forms a master that may be reused to create additional molds.
23. (Withdrawn) The method as set forth in claim 14 wherein the steps of the method are repeated for a first leg, a second leg, and a header of a fireplace surround.
24. (Withdrawn) A method of forming pieces of a fireplace surround having the appearance of dry-stacked stone, comprising:

selecting a rubber mold for at least one piece of a fireplace surround, said mold having a mold cavity with a face surface, a top surface and at least two side surfaces, the face surface

being configured to create a molded part having the appearance of a plurality of dry-stacked stones, said top surface being substantially flat, and at least one of said side surfaces being configured to create a molded part having the appearance of the ends of a plurality of dry-stacked stones;

substantially filling the mold cavity with a slurry of artificial stone forming concrete material;

vibrating the mold with said slurry disposed in the mold cavity;

stopping the vibrating of the mold;

inserting anchors into the slurry in the mold cavity;

curing said slurry while the anchors are in place to form a single solid piece of artificial stone having the appearance of a plurality of dry-stacked stoned;

removing the single, solid piece of artificial stone from the mold.

25. (Withdrawn) The method as set forth in claim 24 wherein the rubber material is a urethane rubber material.

26. (Withdrawn) The method as set forth in claim 24 wherein the liquid rubber material is a two-part artificial rubber material.

27. (Withdrawn) The method as set forth in claim 24 further including the step of inserting a colorant into the mold cavity prior to the step of filling the mold cavity with the slurry.

28. (Withdrawn) The method as set forth in claim 27 wherein the colorant is a dry, powdered surface colorant.

29. (Withdrawn) The method as set forth in claim 24 further including the step of inserting reinforcing wires into the slurry while the slurry is disposed in the mold cavity.

30. (Withdrawn) The method as set forth in claim 24 further including the step of inserting mounting anchors into the slurry while the slurry is disposed in the mold cavity.